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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/909,001	08/08/1997	FULPS VINCENTINUS VERMEER	CASE-2	1102
30595	7590	01/20/2006	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			TRAN, PABLO N	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/909,001

Applicant(s)

VERMEER, FULPS VINCENTINUS

Examiner

Pablo N. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. Regarding the BPAI decision, filed 08/18/05, Group I (claims 1-2 and 4) and Group II (claims 6-7 and 9) are affirmed. Accordingly, the examiner reserves the right to maintain the same rejections. Group III (claims 5 and 10-11) is reversed. Upon further considerations, a new ground of rejection has been applied to claims 5 and 10-11.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4, 6-7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huttunen et al. (5,903,850) in view of Mallien, II (4,122,304).

As per claims 1-2 and 4, Huttunen et al. disclose a wireless terminal comprising an antenna (fig. 7/no. 2,32), a radio (fig. 7/no. 1,31), a cable (fig. 2/no. 6,8, fig. 4/no. 6,38) that is detachably connected to said radio and that is also connected to said antenna for carrying an RF signal (fig. 2/no. 9, fig. 4/no. 39) and for carrying a baseband

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signal (fig. 2/no. 10, col. 3/ln. 20-30) from said radio to said indications (col. 3/ln. 20-col. 6/ln. 12).

Huttunen et al. disclose data tx/rx and control signals (col. 5/ln. 50-59) but do not specifically disclose a transmitting visual indicator. Mallien, II discloses an indicator that indicates to a user of said terminal when a radio is transmitting (fig. 3B/no. 120, col. 5/ln. 26-29, also see BPAI's decision). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a transmitting indicator of Mallien, II to the mobile phone of Huttunen et al. in order for the user to easily determine the status of the call at any given time.

As per claims 6-7 and 9, as stated above in claim 1, Huttunen et al. silent about a receiving visual indicator. Mallien, II discloses such receiving indicator (fig. 3B/no. 120, col. 5/ln. 26-29, also see BPAI's decision). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a receiving indicator of Mallien, II to the mobile phone of Huttunen et al. in order for the user to easily determine the status of the call at any given time.

4. Claims 5 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huttunen et al. (5,903,850) in view of Mallien, II (4,122,304) and further in view of Oliver (4,890,102).

As per claims 5 and 10-11, as stated above in claim 1, Huttunen et al. in view of Mallien, II suggest a visual indicator whether for transmitting or receiving status but not a second visual indicator for such Tx/Rx operating status. However, such is well known in the art as taught by Oliver (fig. 1/no. 26 (XMT) and no. 28 (RCV)). Therefore, it would

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have been obvious to one of ordinary skill in the art to provide two indicators to the modified mobile phone of Huttunen et al. in order for the user to easily determine the Tx/Rx operating status of the given call at any time.

5. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huttunen et al. (5,903,850) in view of Mallien, II (4,122,304) and further in view of Stein (5,628,055).

As per claim 3 and 8, Huttunen et al. in view of Mallien, II teaching lack said radio is integral to a PC radio card. Stein discloses said radio is integral to a PC radio card (fig. 10/no. 131). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a modular radio communications system as taught by Stein to the mobile phone of Huttunen et al. in view of Mallien, II. in order to enable PC readily radio communicate with other networks,

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-directauspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

PABLO N. TRAN
PRIMARY EXAMINER

January 09, 2006



AV2685



Acting Director
TC 2600